

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

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In re:	)	Chapter 11 Case No. 20-10334 TPA
	)	Related to Document Nos. 297, 293, 303, 302, and
JOSEPH MARTIN THOMAS,	)	294
Debtor.	)	

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In re:	)	Chapter 11 Case No. 21-10118 TPA
	)	Related to Document Nos. 27, 31, 50, 49, and 28
2374 VILLAGE COMMON DRIVE, LLC,	)	
Debtor.	)	

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JOSEPH MARTIN THOMAS, and 2374 VILLAGE COMMON DRIVE, LLC, Movants,	)	<b>JOINT MOTION FOR APPROVING BIDDING PROCEDURES:</b>
vs.	)	
WELLS FARGO BANK, NATIONAL ASSOCIATION; UNITED STATES OF AMERICA, SMALL BUSINESS ADMINISTRATION; ERIE COUNTY TAX CLAIM BUREAU; MILLCREEK TOWNSHIP TAX COLLECTOR; UNITED STATES OF AMERICA, INTERNAL REVENUE SERVICE; COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF REVENUE; TIAA COMMERCIAL FINANCE, INC.; NORTHWEST SAVINGS BANK, now known as NORTHWEST BANK; CORE ERIE MOB, L.P.; and JOSEPH C. KRAMER,	)	DATE AND TIME OF HEARING: March 25, 2021 @ 10:00 a.m.
Respondents.	)	RESPONSE DEADLINE: March 24, 2021 by Noon
	)	
	)	<b>JOINT MOTION FOR ORDER APPROVING SALE OF REAL ESTATE:</b>
	)	
	)	DATE AND TIME OF HEARING: April 28, 2021 @ 11:00 a.m.
	)	RESPONSE DEADLINE: April 21, 2021
	)	
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**NOTICE OF BID PROCEDURES, AUCTION AND SALE HEARING DATE,  
AND DEADLINE TO OBJECT TO SALE MOTION**

***ALL PARTIES IN INTEREST – PLEASE TAKE NOTICE OF THE FOLLOWING:***

**PLEASE TAKE NOTICE** that on March 11, 2021, the Debtors, Joseph Martin Thomas (Case No. 20-10334 TPA) and 2374 Village Common Drive LLC (Case No. 21-10118 TPA) filed a *Joint Motion for Order Approving Bidding Procedures* (the “Procedures Motion”) at Document No. 293 in Case No. 20-10334 TPA and Document No. 27 in Case No. 21-10118.

**PLEASE TAKE FURTHER NOTICE** that on March 12, 2021, the Bankruptcy Court entered at Order, Document No. 297 in Case No. 20-10334 TPA and Document No. 31 in Case No. 21-10118 (the “Procedures Hearing”), scheduling a hearing on the Procedures Motion to approve the Debtors’ proposed bid procedures (the “Bid Procedures”) to be used in connection with the sale of certain real estate (collectively referred to as “the Assets”) owned by the Debtors, described as follows:

- a) Real estate and improvements located at 2374 Village Common Drive, Erie, PA 16506 owned by 2374 Village Common Drive, LLC, Tax Index No. 33-123-418.0-034.00; and,
- b) Real estate located at Lot 15 (2368) Village Common Drive, Erie, PA 16506, Tax Index No. 33-123-418.0-034.01 owned by Joseph Martin Thomas.

**PLEASE TAKE FURTHER NOTICE** that the Debtors have filed a *Joint Motion for Order Approving Sale of Real Estate Free and Divested of Liens* (the “Sale Motion”) at Document No. 294 in Case No. 20-10334 TPA and at Document No. 28 in Case No. 21-10118 TPA, seeking to sell the Assets pursuant to Section 363 of the United States Bankruptcy Code. The Debtors believe the sale of the Assets is in the best interest of the Debtors’ Estates and will provide the highest and best value for the Assets.

**PLEASE TAKE FURTHER NOTICE** that if the Debtors receive Qualified Bids for the Assets from other Qualified Bidders in accordance with the pending request for approval of Bid Procedures, the Assets will be sold at an Auction. The requested Bid Procedures afford the Debtors the opportunity to subject the Assets to competitive bidding.

### **BID PROCEDURES**

**PLEASE TAKE FURTHER NOTICE** that a copy of any order approving Bid Procedures, which will outline the approved procedures, will be available by contacting counsel for the Debtors listed below after conclusion of the Procedures Hearing. The Bid Procedures will describe, inter alia, the terms of the bidding process, the requirements and deadlines for participation therein, and the required terms of any bids of the Auction.

### **AUCTION SALE AND HEARING**

**PLEASE TAKE FURTHER NOTICE** that the Bankruptcy Court will conduct an Auction and Sale Hearing with regard to the Assets on **April 28, 2021** at **11:00 a.m.** before Judge Thomas P. Agresti, via the Zoom Video Conference Application. To participate in and join a Zoom Hearing, please initiate, and use the following link at least 15 minutes prior to the scheduled Zoom Hearing time: <https://www.zoomgov.com/j/16021303488>, or alternatively, you may use the following: **Meeting ID: 160 2130 3488**. For questions regarding the connection, contact Judge Agresti’s Staff Lawyer, Attorney Courtney Neer, at (814)464-9781. All attorneys and Parties may only appear by Zoom and must comply with Judge Agresti’s Amended Notice of Temporary Modification of Appearance Procedures, dated and effective June 10, 2020, which can be found on the Court’s Website at <https://www.pawb.uscourts.gov/sites/default/files/pdfs/tpa-proc-appearances.pdf>. Under the current COVID-19 circumstances, the general public may appear telephonically if unable to do so via the Internet. When the need to appear telephonically arises, members of the general public should immediately contact Staff Attorney Courtney Neer to make telephonic arrangements.

Only Qualified Bidders may bid and participate in the Auction. Qualified Bidders will be determined in accordance with the pending request for approval of Bid Procedures.

**PLEASE TAKE FURTHER NOTICE** that on or before **April 21, 2021** any Objections to the sale shall be filed with the U.S. Bankruptcy Court, U.S. Courthouse, Room B160, 17 South Park Row, Erie, Pennsylvania 16501 with a copy served on all interested parties.

Complete copies of the Procedures Motion, the anticipated procedures order, the Sale Motion, and related documents may be obtaining by contacting counsel for the Debtor below. In addition, further information regarding this sale may be found on the Court’s EASI Website: <http://www.pawb.uscourts.gov/easi.htm>.

Respectfully submitted,

THE QUINN LAW FIRM

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